

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02784-CJN**

AMERICAN CIVIL LIBERTIES UNION et al v. CENTRAL
INTELLIGENCE AGENCY
Assigned to: Judge Carl J. Nichols
Cause: 05:552 Freedom of Information Act

Date Filed: 11/29/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**AMERICAN CIVIL LIBERTIES
UNION**

represented by **Arthur B. Spitzer**
AMERICAN CIVIL LIBERTIES UNION
OF THE DISTRICT OF COLUMBIA
915 15th Street, NW
2nd Floor
Washington, DC 20005
(202) 601-4266
Fax: (202) 457-0805
Email: artspitzer@gmail.com
ATTORNEY TO BE NOTICED

Dror Ladin
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street
18th Floor
New York, NY 10004
(212) 549-2654
Fax: (212) 549-2654
Email: dladin@aclu.org
ATTORNEY TO BE NOTICED

Plaintiff

**AMERICAN CIVIL LIBERTIES
UNION FOUNDATION**

represented by **Arthur B. Spitzer**
(See above for address)
ATTORNEY TO BE NOTICED

Dror Ladin
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**CENTRAL INTELLIGENCE
AGENCY**
Washington, DC 20505

represented by **Joshua M. Kolsky**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2541
Fax: (202) 252-2599
Email: joshua.kolsky@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rachael Lynn Westmoreland
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
P.O. Box 883

Washington, DC 20044
 (202) 514-1280
 Fax: (202) 616-8460
 Email: rachael.westmoreland@usdoj.gov
 TERMINATED: 03/21/2019

Date Filed	#	Docket Text
11/29/2018	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-5813380) filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(Ladin, Dror) (Entered: 11/29/2018)
11/29/2018	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Ladin, Dror) (Entered: 11/29/2018)
11/29/2018		Case Assigned to Judge Colleen Kollar-Kotelly. (zef,) (Entered: 11/29/2018)
11/29/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to All Defendants, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 11/29/2018)
12/03/2018	<u>4</u>	ORDER ESTABLISHING PROCEDURES FOR CASES ASSIGNED TO JUDGE COLLEEN KOLLAR-KOTELLY. Signed by Judge Colleen Kollar-Kotelly on 12/3/18. (DM) (Entered: 12/03/2018)
01/04/2019	<u>5</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CENTRAL INTELLIGENCE AGENCY served on 12/10/2018 (Ladin, Dror) Modified on 1/8/2019 (znmw). (Entered: 01/04/2019)
01/04/2019	<u>6</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/10/2018. (Ladin, Dror) Modified on 1/8/2019 (znmw). (Entered: 01/04/2019)
01/04/2019	<u>7</u>	ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/10/2018. Answer due for ALL FEDERAL DEFENDANTS by 1/9/2019. (Ladin, Dror) Modified on 1/8/2019 (znmw). (Entered: 01/04/2019)
01/04/2019	<u>8</u>	Unopposed MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by CENTRAL INTELLIGENCE AGENCY (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/04/2019)
01/07/2019		MINUTE ORDER: The Court has received Defendant Central Intelligence Agency's <u>8</u> Unopposed Motion for a Stay and Extension of Time in Light of Lapse of Appropriations. Plaintiffs do not oppose this relief. Accordingly, in an exercise of the Court's discretion, the Court shall GRANT Defendant's <u>8</u> Unopposed Motion. The Court shall STAY the deadline for Defendant's answer or other response to the Complaint. The deadline is tolled commensurate with the length of the lapse of appropriations to the U.S. Department of Justice. The parties shall file a Joint Status Report within seven calendar days of the restoration of the Department's funding and the resumption of its operations. This Joint Status Report shall include what the parties understand to be the new deadline for Defendant's answer or other response to the Complaint. Signed by Judge Colleen Kollar-Kotelly on January 7, 2019. (lcckk1) (Entered: 01/07/2019)
01/07/2019	<u>9</u>	NOTICE of Appearance by Arthur B. Spitzer on behalf of AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Spitzer, Arthur) (Entered: 01/07/2019)
01/08/2019		NOTICE OF CORRECTED DOCKET ENTRY: Docket Entries <u>7</u> Summons Returned Executed in FOIA as to U.S. Attorney, <u>6</u> Summons Returned Executed as to U.S. Attorney General, <u>5</u> Summons Returned Executed as to Federal Defendant were entered in error and counsel is instructed to refile said documents with proof of delivery. (znmw) (Entered: 01/08/2019)

01/10/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on CENTRAL INTELLIGENCE AGENCY on 12/10/2018. (Attachments: # <u>1</u> Exhibit Proof of Delivery)(Ladin, Dror) Modified on 1/24/2019 (jf). (Entered: 01/10/2019)
01/10/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/10/2018. (Attachments: # <u>1</u> Exhibit Proof of Delivery)(Ladin, Dror) (Entered: 01/10/2019)
01/10/2019	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/10/2018. Answer due for ALL FEDERAL DEFENDANTS by 1/9/2019. (Attachments: # <u>1</u> Exhibit Proof of Delivery)(Ladin, Dror) (Entered: 01/10/2019)
02/06/2019	<u>13</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY. (Peterson, Benton) (Entered: 02/06/2019)
02/06/2019		MINUTE ORDER: The Court has received the parties' <u>13</u> Joint Status Report. The parties identify the restoration of government funding. Accordingly, the Court hereby LIFTS the stay in this matter. The Report indicates that an "internal misrouting issue" prevented defense counsel from "effectively confer[ring]" with Defendant agency prior to this filing. Accordingly, defense counsel requests further time to file a Joint Status Report. Although Plaintiff evidently consents, the Court is not inclined to permit further time to elapse before Defendant answers or otherwise responds to Plaintiff's <u>1</u> Complaint, which is the appropriate next step in these proceedings. Accordingly, Defendant shall answer or otherwise respond to the Complaint by MARCH 4, 2019 . Signed by Judge Colleen Kollar-Kotelly on February 6, 2019. (lcckk1) (Entered: 02/06/2019)
03/04/2019	<u>14</u>	ANSWER to Complaint by CENTRAL INTELLIGENCE AGENCY. (Attachments: # <u>1</u> Exhibit A)(Westmoreland, Rachael) (Entered: 03/04/2019)
03/05/2019	<u>15</u>	ORDER. The parties shall file the schedule not later than APRIL 4, 2019 . Signed by Judge Colleen Kollar-Kotelly on March 5, 2019. (lcckk1) (Entered: 03/05/2019)
03/05/2019		Set/Reset Deadlines: Parties shall file a schedule by 4/4/2019. (dot) (Entered: 03/05/2019)
03/21/2019	<u>16</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Joshua M. Kolsky on behalf of CENTRAL INTELLIGENCE AGENCY Substituting for attorney Rachael Westmoreland (Kolsky, Joshua) (Entered: 03/21/2019)
04/04/2019	<u>17</u>	Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY. (Kolsky, Joshua) (Entered: 04/04/2019)
04/08/2019		MINUTE ORDER: The Court has received the parties' <u>17</u> Joint Status Report, which indicates that Defendant continues to search for responsive records but expects to complete its review and production on or before OCTOBER 15, 2019 . The parties propose filing a Joint Status Report within twenty-one days of that single production. Accordingly, the parties shall file a further Joint Status Report on or before NOVEMBER 5, 2019 , identifying any issues that remain in dispute and proposing a briefing schedule, if necessary. Signed by Judge Colleen Kollar-Kotelly on April 8, 2019. (lcckk1) (Entered: 04/08/2019)
04/08/2019		Set/Reset Deadlines: Joint Status Report due by 11/5/2019, identifying any issues that remain in dispute and proposing a briefing schedule, if necessary. (dot) (Entered: 04/08/2019)
06/24/2019		Case directly reassigned to Judge Carl J. Nichols. Judge Colleen Kollar-Kotelly is no longer assigned to the case. (ztnr) (Entered: 06/24/2019)